

DEVERY'S MOTION OVERRULED;
JUSTICE JEROME MAY TRY HIM.SISTERS WITH WHIPS HELP
BROTHER THRASH BAUMAN.

In revenge for an alleged insult to his sister, Edward Levy, thirty-seven years old, assisted by his two sisters, attacked William Bauman on Third avenue about noon at One Hundred and Eighteenth street and administered severe punishment.

Such a commotion was caused by the chastisement that a big crowd collected. Edward used his fists upon Bauman, while Bertha, aged twenty-six, and Jennie, aged twenty-four, vigorously applied silver-mounted dog whips.

Bauman was driven to the middle of the track, where he was finally laid out on the car tracks. Officer O'Brien, of the East One Hundred and Twenty-sixth street station, arrested the quar-

Jennie and Bertha Levy Vigorously Lash Alleged Insulter While Edward Levy Uses His Fists Before a Large Crowd.

relle. They were later arraigned in the Harlem Court, before Magistrate Hogan.

The Levys live at No. 16 East One Hundred and Twenty-sixth street, Ber-

tha told the Court that Bauman insulted her.

She told her story to her brother and sister and they decided to seek an apology from Bauman.

They waited at the corner this noon and when he came out the trouble started. In explaining why the girls were around with whips she averred they only carried them for protection and not with any previous idea of using them.

Bauman denied having insulted the young woman. He lives at No. 224 West One Hundred and Fourteenth street.

The Court napped all four for examination on Saturday next.

During the court-room sequel of the fight the girls became so hysterical it was necessary for officers to carry them from the court.

BROTHER AND SISTER GET
ALL BY NEW STOKES WILL.

The second and presumably the only valid will of the late Edward S. Stokes was filed for probate to-day. It is dated March 22, 1894, and revokes the will made in 1891, leaving the bulk of the estate to W. E. D. Stokes, cousin of the testator. In the latest will there is no mention of the name of W. E. D. Stokes, nor is the name of Rosamond Barclay, who says she was Edward Stokes's wife, mentioned.

By the terms of the will all of the property of the deceased is left to Mrs. Nancy Stokes, his mother. Mrs. Nancy Stokes died in 1892. Consequently the estate reverts to the next of kin of Edward S. Stokes.

These are his brother Horace, and his sister, Mrs. Mary McNert. They are the sole heirs. The value of the estate is not stated.

At the time of the making of the first will—1891—Edward Stokes was on friendly terms with his cousin, W. E. D. A short time after this the men had a quarrel. It was then that the new will,

Neither Rose Barclay Nor W. E. D. Stokes Mentioned in Last Document—Estate Is Left to His Mother, but as She Is Dead It Goes to Her Heirs.

excluding W. E. D. from any share of the estate, was drawn.

The will was filed by Eliza V. Foster, of No. 23 West Forty-second street, who is named as executor. It was found in the law office of Carter, Hughes & Wright. Mr. Stokes wrote the will himself and none knew its contents until it was opened and read. The witnesses had not read it.

In his petition for probate Mr. Foster avers that Edward S. Stokes did not leave a widow or children. This would seem to indicate that the claims of Rosamond Barclay are not recognized.

"PRINCE OF STARTERS" WINS
VICTORY IN FAMOUS SUIT.

The famous case of James F. Caldwell, the "Prince of Starters," against Lillian Ash Campbell, residuary legatee of the late millionaire wall-paper manufacturer, William Campbell, and Richard S. Martin and Robert T. Byatt, executors of Campbell's will, was called for trial to-day in the Supreme Court, before Justice Freedman.

The action was brought by the race track man to recover \$1,834.31, alleged to be due him as part of the vast sum of money spent upon the dead millionaire's daughter, Estelle, now Mrs. Sidney H. Salomon, of London.

Justice Freedman's sharp rulings shutting out sensational testimony not bearing directly upon the subject of the controversy disappointed the crowd that had filed in and cut the trial down to two hours, with only three witnesses.

The jury was out only a few minutes and brought in a verdict for the full amount claimed, with interest.

Starter Caldwell will therefore get \$2,546.

There was a throng of beautiful women in the Court House to-day.

"Jim" Caldwell's wife and the first Mrs. Campbell were sisters, and the relation between the families were unusually intimate.

Caldwell lived in Saratoga much of the time and Estelle and her mother were intimates at his home.

Spent Vast Sums on Her.

Caldwell says in his complaint that he spent a vast amount of money upon Estelle between 1872 and 1882, most of which was paid by her father before he died.

The schedule of claims includes board at a Saratoga hotel, at \$20 a week, an evening dress costing \$150, a street costume, \$75; \$75 for mourning clothes when her mother died in March, 1897; \$300 to Dr. Carace, of Saratoga, for two diamond pins and a diamond and sapphire bracelet, and \$500 to Mrs. Van Norman

Jury Gives "Jim" Caldwell Verdict for \$2,546 Against Mrs. Lillian Ash Campbell, Widow of Millionaire Wall Paper Manufacturer.

tract to deliver them in New York City for \$50 each. According to Key the men were to work in New York for three years for their board and about \$10 a year, the money to be sent to their relatives in China.

The prisoners were taken to the Gregory street police station, where they were searched. Low Moh had a four-karat ring concealed in an opium bag. The diamond was in a cheap setting and looked like an imitation one, but the police say it is genuine. The men were held for the United States authorities.

POST-OFFICE LIFT FALLS.

Loose stay bolts let the west elevator at the southern end of the Post-Office Building fall two stories this afternoon with nine passengers. None was hurt seriously. The car stuck at the second floor on a down trip. Eight men got out of the car and ran to the street.

Suddenly the cable plates gave way, and the car dropped more than thirty feet to the main floor with a terrible noise. The safety appliances did not work. The electric light globes in the car were shattered by the shock, and bits of glass cut several of the passengers.

See the Tuesday's Papers For King's Great Clothing Sale. Watch the morning papers.

CHINAMAN BARS
OUT COUNTRYMEN.

Four Chinamen were arrested for violation of the Chinese exclusion act as they alighted from a Lehigh Valley train from Buffalo in the Pennsylvania railroad station, Jersey City, this morning. The arrests were made by Police-

man Boyle on the complaint of Charles Key, a Chinaman, who is in the employ of the United States Government as an inspector of immigration.

The four Chinamen said they were Low Moh, of No. 11 Mott street, Manhattan; Lee Tong, of No. 22 Pell street; Lee Back, of No. 22 Pell street; and Lo Sung, of No. 5 Mott street.

Inspector Key said he had followed the men from Buffalo. There were originally five in the party, but one Chinaman left the train at South Bethlehem, Pa., and Key lost track of him. Key says that the Chinamen were brought across the Niagara River in a rowboat by a man who was under con-

tract to deliver them in New York City for \$50 each. According to Key the men were to work in New York for three years for their board and about \$10 a year, the money to be sent to their relatives in China.

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TICKET OFFICE
ROBBED BY GIRL.

While the ticket agent, Miss Katherine Killean, was home eating her lunch to-day Eliza Robinson, an eighteen-year-old girl, entered the Staten Island Railroad office at Eltingville and took everything valuable, including tickets, which she later threw away.

The Robinson girl lives on Pleasant avenue, Rockville, S. I. She was seen about the station by Miss Killean during the morning. As the latter was returning from lunch she met several children, who handed her railroad tickets.

"That woman threw them away," said one of the youngsters, pointing to the Robinson girl, who was running down the street. Miss Killean ran screaming after her and a mounted policeman joined the chase.

When arrested the Robinson girl broke down and confessed to the theft. She was taken to the police court in Stapleton and held.

Later the Robinson girl was arraigned in court. She pleaded not guilty and was held in \$1,000 bail.

'FRISCO MACHINISTS END
HARD CONTESTED STRIKE.

SAN FRANCISCO, Nov. 11.—It is announced that nearly

500 machinists employed by the Fulton Iron Works have returned to work after having been on strike for several months

in an effort to obtain ten hours' pay for nine hours' work. It

is understood that they return to their benches on a schedule

of nine hours' pay for nine hours' work.

DIES IN AMBULANCE.

A man named Hannigan, about fifty-five years of age, who is said to be a laborer employed on the Carmelite Church, was found lying on the sidewalk unconscious at Thirty-first street and Second avenue this afternoon. An ambulance was called from Bellevue Hospital, and while on its way back the injured man died.

Two men who carried him from the church said they believed he had fallen. It is thought his skull was fractured.

LATE RESULTS AT LAKESIDE.

Fourth Race—Inspector Shea 1. Golden Glitter 2. Hoodwink Sixth Race—Fantasy 1. Farmer Bennett 2. Reseda 3.

AT LATONIA.

Fourth Race—Arche 1. Queen Quality 2. Ida Penzance 3. Fifth Race—Siphon 1. Boaster 2. Martin Burke 3. Sixth Race—Maple 1. Ethel Davis 2. Jena 3.

TROLLEY MEN
IN SESSION.

Absorption of Independent Brooklyn Lines by B. R. T. Is Rumored.

A conference was held this afternoon in the office of Anthony M. Brady, at No. 60 Wall street, between President Greathouser of the B. R. T., President John O. Hines, of the Independent Brooklyn trolley lines, and several directors of the B. R. T.

It was said that the subject under consideration was the absorption by the Brooklyn Rapid Transit Company of the De Kalb Avenue, Smith Street and Franklin Avenue lines.

The roads mentioned are the only lines in Brooklyn not at present in the Brooklyn Rapid Transit system and they are the most profitable traction properties in that borough.

For some time past efforts to include them in the general system have been making, but the stockholders in the Independent lines were averse to consolidation.

Negotiations have been under way for months, but matters came to a standstill several weeks ago when President Hines placed an upset price of \$250 a share on his properties. The Brooklyn Rapid Transit directors were willing to give \$220 but no more.

While Wall street has been puzzled for the past two days by the sudden rise in the price of the Independent lines, the Brooklyn Rapid Transit directors are making the consolidation of Brooklyn trolley roads complete have been progressing toward a favorable conclusion. Meanwhile the rumor bureau in the street have revived the old story of a consolidation of the Manhattan traction companies with the Brooklyn system.

Leading officials of the Metropolitan road denied positively to-day that there was either logic or probability in such a combination.

The conference between the B. R. T. directors and the directors of the Independent lines began at 2 o'clock this afternoon, and at a late hour was still under way.

At the conclusion of the meeting President Greathouser of the Brooklyn Rapid Transit said that the question of consolidation of the Manhattan lines had not been considered. He refused to say what had been the subject of the conference.

Judge O'Gorman Decides Against the Big Deputy Chief and Refuses to Restrain Justice Jerome—First Blow at John Doeism Since the Election.

Justice William Travers Jerome has a full and legal right to sit as committing Magistrate over Deputy Commissioner of Police William S. Devery, indicted on charges of oppression.

This was the main purport of a decision handed down late this afternoon by Justice O'Gorman, in the Supreme Court.

Justice O'Gorman denied Devery's motion for a writ of prohibition to prevent Justice Jerome from presiding at the preliminary hearing.

O'Neill Swore Out Warrant. Devery was arrested on Sept. 18 on a warrant issued by Justice Jerome on complaint of Policeman Edward H. O'Neill, who charged the "Big Chief" with oppression and neglect of duty.

This was the outcome of Devery's bullying tactics in his conduct of the police trials at Headquarters.

Devery's counsel obtained a temporary writ of prohibition from Justice O'Gorman in the Supreme Court, and the proceedings before Jerome were stayed for the time being.

In the argument to make the writ

WHERE IS CHIEF
DEVERY THIS TIME?

Murphy Says He's at Home III—There They Say He's at Headquarters.

MISSING—One large fat man.

Wears a brown mustache and a triple chin.

Sometimes answers to the name of William S. Devery. Sometimes he refuses to answer.

He had a chest measurement of 62 inches before Nov. 5. Since that time, however, he has shrunk materially.

His head, too, has sadly fallen away.

If he cannot be identified in any other way a mention of the name Jerome will cause him to talk about "young bums."

Five days since this man vanished. As a vanisher he excels.

There is a great accumulation of business in his office at Police Headquarters.

Inquiry there results in the information that he is at home, sick. He is addicted to "pleurisy in the side." The last time he had it there was an inter-

esting time. It made him move all around.

At his home it is said that he is at Headquarters performing the duties of his office. He left his house at No. 210 West Twenty-eighth street at 9 o'clock this morning.

Where did he go?

Nobody seems to know. Inquiry in Harlem brings the same response from all the bartenders. They "have not seen him." Here are telegrams that increase the mystery.

JERSEY CITY, Nov. 11.—No such man as you describe has been here lately. The newsboys would like to see him, however.

"HOBOKEN, Nov. 11.—We have not seen a man such as you describe. He cannot be here. If he was we would know it."

NEWARK, N. J., Nov. 11.—The only star strangers in town are the members of a show troupe. Is the man you are looking for an actor? He don't appear to be here.

He is not an actor in the sense that the correspondents means. But he can be told by his actions.

If you see a large, corpulent man making gestures with his hands, and calling people bums, that's him. If you hear a man say "touchin' on and pers'adin' for a little matter, telephone to Commissioner Murphy at once.

permanent. It was argued, first, that Devery's position as judge at police trials exempted him from being tried

by the Judge of an inferior court, and, second, that Justice Jerome was prejudiced.

MAYOR-ELECT LOW TALKS
ABOUT HIS APPOINTMENTS.

"I want to say right now, though, that I have not made up my mind in any other way on political matters. Not a single appointment has been decided on. I really don't know who will constitute the office to be at my headquarters. I went to Great Harrington for rest and I kept my mind like a blank slate on political matters."—Seth Low to-day.

Mayor-elect Seth Low, on his return to the city this morning, announced to an Evening World reporter that he would be very slow and careful in the matter of appointments.

"I have opened downtown head-

quarters, where I will have office hours like any other business man," he said. "There I will take up the matter of appointments and all affairs pertaining to my coming administration."

"I will use the same care in the selection of heads of departments

and subordinates as a business man would exercise in surrounding himself with efficient partners in an important financial enterprise.

"I will drop in at headquarters this afternoon to meet the gentlemen of the press and to-morrow I will be there for general business. My idea in opening headquarters was to keep politics away from my home."

Home Free of Politics.

"I will receive no political visitors there, and the man who calls there on a political errand will make a mistake."

Mr. Low was accompanied from Great Barrington by Mrs. Low and Judge-elect and Mrs. Samuel Greenbaum. Their train arrived at 11.20 o'clock. Mr. Low wore a long black ulster over a dark business suit, and he democratically carried a big dress-

(Continued on Second Page)

ODELL BARGAINS
WITH ROOSEVELT.

PRESIDENTIAL HOPES FOR BIDWELL'S HEAD HIS OFFER.

Governor Quoted in Strong Terms in Talk Against the Collector.

The Brooklyn Eagle to-day published the following despatch from its correspondent in Washington:

Gov. Odell's recent visit to Washington and his call upon President Roosevelt related almost solely to the case of Collector Bidwell. The following report of what Gov. Odell said to the President is going the rounds:

"I am for your reappointment in 1904. Mr. Bidwell is reported to have been in a position to know whether or not it is accurate. Mr. Roosevelt's reply to Gov. Odell is omitted in all versions which have become public property."

Gov. Odell is strongly opposed to Bidwell's reappointment, although Senator Platt is declared in favor of it. Secretary Taft is with Odell in the matter, and it is said will resign if the Collector is again named.

A break in the State Republican machine is imminent over the affair.

IGLESIAS IN
SAN JUAN JAIL.

Roosevelt Calls for Explanation of Labor Man's Arrest.

WASHINGTON, Nov. 11.—Samuel Gompers, President of the American Federation of Labor, protested to the President to-day against the arrest of Santiago Iglesias, who was sent to Porto Rico by the American Federation to organize the workmen of the island.

Mr. Iglesias was arrested, according to a cablegram received from him by Mr. Gompers, as he stepped ashore at San Juan. He was placed in jail. The nature of the charge against him is not known.

President Roosevelt immediately sent an inquiry to Gov. Hunt as to the cause of the arrest.

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SCHLEY COURT IN
SECRET SESSION.

CONSIDERATION OF THE EVIDENCE BEGUN.

Admirals Devery, Benham and Ramsay Take Possession of New Quarters.

WASHINGTON, D. C., Nov. 11.—Admiral Dewey and Rear-Admirals Benham and Ramsay, composing the Schley Court of Inquiry, met at their quarters in the McLean Building behind closed doors to-day and began the discussion and consideration of the evidence brought forward in the investigation concluded last week.

The sittings of the Court are to be strictly secret. Their present plan is to hold daily sessions from 10 to 12.30 o'clock, adjourning at the latter hour for the day, though this arrangement may be changed as the work of the body progresses.

The Court has two small rooms for its work—one for the members themselves and the other for the accommodation of clerical help. At the door of the latter is stationed a sergeant of marines, whose presence is the only surface suggestion to a chance caller that something out of the ordinary is going on in these two little rooms.

Admiral Dewey said after to-day's session that as yet he could not foretell how long it would be before the Court would reach its final finding. He pointed out that it had taken nearly eight weeks of searching examination to produce the material in hand, and that the Court could not be expected to draw its conclusions in a hurry.

In the interests of expediency among the members of the Court the Admiral said: "No one is working against as a Court should."

WEATHER FORECAST.

Forecast for the thirty-six hours ending at 8 P. M. Tuesday, for New York City and vicinity: Cloudy to-night, with rain after midnight; rising temperature; occasional rains Tuesday;

increasing south to southwest winds.